

ORIGINALFILED
U.S. DISTRICT COURT
AUGUSTA DIV.IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

2006 SEP -7 AM 9:47

CLERK *B. McCarthy*
SO. DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

TONY BERNETTE BLAKE)

CASE NO.: CR205-48

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Blake asserts that the Government should have called Camden County Magistrate Judge Dar Hendrickson as a witness during the evidentiary hearing. Blake contends that Paul Preston's testimony regarding Judge Hendrickson's instructions to add handwritten language to the search warrant is hearsay, in violation of FED. R. EVID. 801(c).

Blake's Objections are without merit. Even in the absence of testimony from Judge Hendrickson that he instructed Preston to add the handwritten language to the search warrant, the evidence before the Court reveals that the typed language contained in the search warrant covered all areas where contraband was found by police.

The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Blake's Motions to Suppress (Doc. Nos. 31 and 32) are **DENIED**.

SO ORDERED, this 7th day of September, 2006.


UNITED STATES DISTRICT JUDGE

70